

3727  
JRW



PATENT  
Customer No. 22,852  
Attorney Docket No. 02734.0578

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

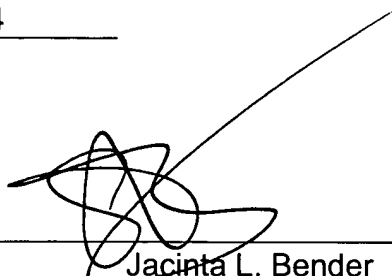
In re Application of: )  
)  
Jonathan E. RUSH et al. ) Group Art Unit: 3727  
)  
Application No.: 10/803,028 ) Examiner: to be assigned  
)  
Filed: March 18, 2004 )  
)  
For: A TEAR-BACK DRINK-THROUGH ) Confirmation No.: 5609  
LID FOR A BEVERAGE )  
CONTAINER )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on June 18, 2004  
Date

  
\_\_\_\_\_  
Jacinta L. Bender

**Enclosures:**

1. Information Disclosure Statement - 2 pages
2. Form PTO 1449 - 1 page
3. Postcard



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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine

that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

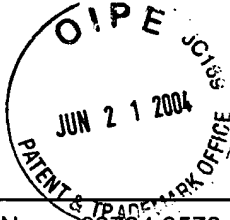
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: June 18, 2004

By: Reg No 44073  
Lori-Ann Johnson  
Reg. No. 34,498



OMB No. 0651-0011

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	02734.0578	Appln. No.	10/803,028
Applicant	Jonathan E. RUSH et al.		
Filing Date	March 18, 2004	Group:	3727

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,947,323	09/07/99	Freek et al.			
	6,505,753	01/14/03	Freek et al.			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce